



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
REGION 2**

Miami Office
P.O. Box 266468
Weston, FL 33326

July 25, 2016

Sherria Elliott
Miami, Florida

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDSCR-16-00022181
Document Number: W201632600022

On July 16, 2016, agents from this office confirmed by direction finding techniques that radio signals on frequency 89.5 MHz were emanating from a mixed-use store/residential property on NW 15th Ave. in Miami, Florida. Public records list you as the property owner. The Commission's records show that no license was issued for operation of a broadcast station at this location on 89.5 MHz in Miami, Florida.

Radio stations operating on many frequencies, including 89.5 MHz, must be licensed by the FCC pursuant to 47 U.S.C. § 301. The only exception to this licensing requirement is for certain transmitters using or operating at a power level that complies with the standards established in Part 15 of the Commission's rules, 47 C.F.R. §§ 15.1 *et seq.* On July 16, 2016, the field strength of the signal on frequency 89.5 MHz exceeded the maximum permitted level of 250 microvolts per meter ($\mu\text{V/m}$) at 3 meters for non-licensed devices. Thus, this station is operating in violation of 47 U.S.C. § 301.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*See* 47 U.S.C. §§ 401, 501, 503 and 510.)

UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.

You have ten (10) days from the date of this notice to respond with any evidence that you have authority to operate granted by the FCC. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure

your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

Ronald D. Ramage
Regional Director

Attachments:

Excerpts from the Communications Act of 1934, As Amended
Enforcement Bureau, "Inspection Fact Sheet," March 2005

FCC Enforcement Advisory - Warning: Unauthorized Radio Broadcasting is Illegal, March 1, 2016